

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONALD MCREE,

Plaintiff.

v.

CITY OF PITTSBURG, et al.,

Defendants.

No. C 13-01275 EJD (PR)

ORDER OF DISMISSAL

On March 21, 2013, Plaintiff filed a complaint pursuant to 42 U.S.C. § 1983. (Docket No. 1.) On the same day, the Clerk sent Plaintiff a notice that he must either pay the full filing fee or file an In Forma Pauperis (“IFP”) Application within thirty days to avoid dismissal of the action; a copy of the application was provided. (Docket No. 3.) On April 17, 2013, the notice was returned as undeliverable with a notation that the Plaintiff was no longer in custody. (Docket No. 6.) As of the date of this order, Plaintiff has not filed a notice of change of address or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must promptly file a notice of change of address while an action is pending. See L.R. 3-11(a). The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the Court has been returned to the Court as not deliverable, and (2) the Court

1 fails to receive within sixty days of this return a written communication from the pro se
2 party indicating a current address. See L.R. 3-11(b).

3 More than sixty days have passed since the mail addressed to Plaintiff was
4 returned as undeliverable. The Court has not received a notice from Plaintiff of a new
5 address. Accordingly, the instant civil rights action is **DISMISSED** without prejudice
6 pursuant to Rule 3-11 of the Northern District Local Rules.

7 The Clerk shall terminate any pending motions.

8
9 DATED: 6/25/2013


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RONALD MCREE,
Plaintiff,

Case Number CV 13-01275 EJD (PR)

v.

CERTIFICATE OF SERVICE

CITY OF PITTSBURG, et al.,
Defendants.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 6/25/2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) inter-office delivery receptacle located in the Clerk's office.

Roland McCree
General Delivery
Pittsburg, CA 94565

DATED: 6/25/2013

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk